

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JANICE S. HAAGENSEN,)
Plaintiff,)
vs) Civil Action No. 08-727
PENNSYLVANIA STATE POLICE, et al.,)
Defendants.)

O R D E R

AND NOW, this 25th day of March, 2009, after the plaintiff, Janice S. Haagensen, filed an action in the above-captioned case, and after five motions to dismiss were submitted by various groups of defendants, and after a Supplemental Report and Recommendation was filed by the United States Magistrate Judge granting the parties thirteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the plaintiff, and upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Supplemental Report and Recommendation (Docket No. 49), which is adopted as the opinion of this Court,

IT IS ORDERED that the motion to dismiss submitted on behalf of Defendants Pennsylvania State Police, Clyde Jones, Todd Scott and the Pennsylvania Game Commission (Docket No. 5) is granted with respect to Count I as to Jones and Scott in their official capacities, Counts II and III in their entirety and all of the claim in Count IV except that the request for non-monetary relief arising out of alleged violations of Plaintiff's rights under the Pennsylvania constitution remains as to the State Police and the Game Commission; the motion is denied with respect to Count I as to the State Police, the Game Commission and Jones and Scott in their

individual capacities.

IT IS FURTHER ORDERED that the motion to dismiss submitted on behalf of Defendants Ralph D. Joy, Jr., Jay McBride, Jordan Snyder, Shane Sparks and George Stevenish (Docket No. 17) is granted with respect to Counts II, III and IV and denied with respect to Count I.

IT IS FURTHER ORDERED that the motion to dismiss submitted on behalf of Defendant Christian Winter (Docket No. 20) is granted with respect to Counts II-IV and Count I as to Winter in his official capacity, but denied with respect to Count I as to Winter in his individual capacity.

IT IS FURTHER ORDERED that the motion to dismiss submitted on behalf of Defendant Jeffrey Kendall (Docket No. 29) is granted.

IT IS FURTHER ORDERED that the motion to dismiss submitted on behalf of Defendant Gary Ferrigno (Docket No. 37) is granted with respect to Counts II, III and IV and denied with respect to Count I.


Donetta W. Ambrose
Donetta W. Ambrose
United States Chief District Judge

cc: Cathy Vasko
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